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December 1, 2008

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4 Pages

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From:

Lindsey Ferguson for JENS C. JENKINS

Comments:

Request for Refund

Serial No.

10/700,067

Docket No.

17523.1

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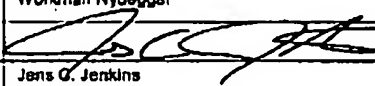
PTO/SS/21 (09-04)

Approved for use through 07/31/2008. OMS 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM	Application Number	10/700,067	
	Filing Date	November 3, 2003	
	First Named Inventor	Douglas Durbano	
	Art Unit	3696	
(to be used for all correspondence after initial filing)		Examiner Name	Carol A. See
Total Number of Pages in This Submission	3	Attorney Docket Number	17523.1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communications to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/		
<input type="checkbox"/> Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks: Applicant paid the three month extension of time fee in the amount of \$1100.00. Since the applicant was only required to pay the small entity fee of \$555.00, applicant respectfully requests a refund in the amount of \$555.00 to be deposited to deposit account 23-3178.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Workman Nydegger	
Signature		
Printed Name	Jens G. Jenkins	
Date	December 1, 2008	Reg. No. 44,803

CERTIFICATE OF TRANSMISSION/ MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below		
Signature		
Typed or printed name		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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VIA eFILE

PATENT APPLICATION
Docket No. 17523.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Douglas Durbano)
Serial No.:	10/700,067) Art Unit
Filed:	November 3, 2003) 3696
Conf. No.:	3740)
For:	LIMITED LIABILITY BANKING STRUCTURE INVOLVING MEMBER BANKING AND METHOD OF USE)
Examiner:	Carol A. See)
Customer No.:	22913)

REQUEST FOR REFUND UNDER 37 CFR 1.28

Refund Section
Accounting Division, Office of Finance
Commissioner for Patents
PO Box 1450
Arlington, Virginia 22313-1450

Dear Sir:

On November 26, 2008, Applicant inadvertently paid the large entity fee for a Petition for Three Month Extension of Time for the referenced patent application in the amount of \$1110.00. However, Applicant is entitled to Small Entity Status pursuant to 37 CFR 1.27. Applicant thus hereby requests a refund of \$555.00 of the three month extension of time fee pursuant 37 CFR 1.28 so that the extension of time fee corresponds

with the fee of \$555.00 for a Small Entity. In order to satisfy the requirements of the request, Applicant hereby asserts the following:

I. Establishment of Small Entity Status.

Applicant hereby asserts pursuant to 37 CFR 1.27 that the present application is entitled to claim small entity status as of at least the date the above-referenced patent application was filed.

II. Refund Request.

Applicant paid the three month extension of time fee in the amount of \$1110.00. Since Applicant was only required to pay the small entity fee of \$555.00, Applicant respectfully requests a refund in the amount of \$555.00.

III. Manner of Refund.

Applicant hereby requests a refund of \$555.00 and requests that the \$555.00 be refunded to deposit account 23-3178.

In the event of any questions, or additional documentation is required in this matter, please contact the attorney below.

Dated this 1st day of December 2008.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
Attorneys for Applicant
Customer No. 47973

JCI:laf
2192776_1 DOC

Electronic Patent Application Fee Transmittal

Application Number:

10700067

Filing Date:

03-Nov-2003

Adjustment date: 12/05/2008 HDESTA1
11/28/2008 INTEFSW 00003476 10700067
01 FC:1253 -1110.00 DP

12/05/2008 HDESTA1 00000001 10700067

01 FC:2253 555.00 DP

Title of Invention:

Limited liability banking structure involving member banking and method of use

Refund Ref:
12/05/2008 0030064231

Credit Card Refund Total: \$555.00

Am Exp.: XXXXXXXXXXXX1000

First Named Inventor/Applicant Name:

Douglas M. Durbano

Filer:

Jens C. Jenkins/Lindsey Ferguson

Attorney Docket Number:

17523.1

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description

Fee Code

Quantity

Amount

Sub-Total in
USD(\$)

Basic Filing:

Pages:

Claims:

Miscellaneous-Filing:

Petition:

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

Extension - 3 months with \$0 paid

1253

1

1110

1110

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				1110